

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(ALEXANDRIA DIVISION)

In re:

MOHAMED A. EL RAFAEI
Debtor.

Case No. 20-12583 KHK
Chapter 7

H. JASON GOLD, TRUSTEE
Plaintiff

AP No. 22-01088 KHK

V.

OMNIA MOUSTAFA
Defendants

OBJECTION TO THE AMENDED COMPLAINT

I am objecting to the Proposed Amended complaint.

Name:

OMNIA MOUSTAFA

Address:

9203 Old Courthouse Rd, Vienna, Virginia, 22182

Telephone:

(703)577-4655

Email Address:

FILED
FRONT COUNTER
2023 MAY 12 PM 2:27
CLERK
US BANKRUPTCY COURT
ALEXANDRIA DIVISION

Basis of my objection:

I object to this amended complaint because all the money transfers that were made to me by my husband (MOHAMED A. EL RAFAEI) were all made to cover necessary household expenses, like groceries, childcare, utilities, medical bills, and other house payments to maintain the household.

All the payments that were received by me from my husband (MOHAMED A. EL RAFAEI) were received in good faith and to maintain the household and cover family expenses for us and our two children.

I would like to also add that I am not a lawyer and i don't have the means to hire one, meanwhile am struggling to keep up with the various and ongoing complaints and claims presented by Mr. Peoples as he continues to present those household payments as fraudulent and unnecessary.

I also would like to elaborate to your honor that the amount of money that Mr. Peoples is requesting to recover were household payments made throughout the years (2018 to 2022) Which is an average of \$1600 monthly were necessary to maintain this household and to provide for our children. And it was never made with any fraudulent intentions.

Also, I would like to express to your honor that my husband financial dispute started back in 2020, since then he has been struggling to keep up with the lawsuit and provide for our family in order to keep this family together in hopes to get back on his feet, meanwhile, I have been the main caregiver to our two children and managing the family and household.

I respectfully fail to understand how those claims could be presented to your honor as fraudulent or unjust.

Defendant wishes to present the following affirmative defenses:

FIRST AFFIRMATIVE DEFENSE

Necessaries doctrines: these payments were for necessary to cover various household expenses for us along with our children.

SECOND AFFIRMATIVE DEFENSE

Bona fide purchaser: those payments were received in good faith from my husband to pay for various household bills and to pay for groceries and other items needed for the kids. These payments were not made fraudulently or to defraud the estate or any other creditor.

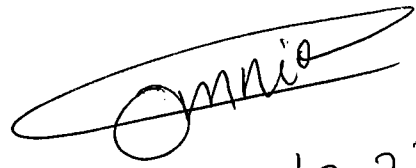
THIRD AFFIRMATIVE DEFENSE

Value given: for the longest time, I have been a housewife and have provided care for our children as well as cleaned, cooked, dropped off the kids at school, at various sports and activities, managed the household expenses etc.

FOURTH AFFIRMATIVE DEFENSE

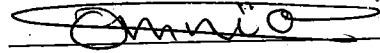
Unjust enrichment: I have provided benefits to my husband by maintaining our household. It would be unfair and unjust for the trustee to try and recover these payments made to me.

I respectfully request a hearing to explain my position and why I am objecting to the amended complaint.


5/12/2023

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing was sent via first class mail to the U.S. Trustee, Trustee and all interested parties on this 5 day of 12, 20 23.



UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

In re:

Mohamed AEL Refaei
Debtor(s)

Case No. 20-12583 KHK
Chapter 7

H. Jason Gold Trustee

Plaintiff(s)

Adversary Proceeding No.

v.

22-01088 KHK

Omnia Moustafa
Defendant(s)

CERTIFICATION UNDER LOCAL BANKRUPTCY RULE 2090-1

Document Title: objection and Request for hearing
Date Document Filed: 5/12/2023
Docket Entry No.

FILED
FRONT COUNTER
2023 MAY 12 PM 2:27
CLERK
US BANKRUPTCY COURT
ALEXANDRIA DIVISION

I declare under penalty of perjury that (Check one box):

- ☒ No attorney has prepared or assisted in the preparation of this document.
☐ The following attorney prepared or assisted in the preparation of this document.

(Name of Attorney)

(Address of Attorney)

(Telephone Number of Attorney)

Omnia Moustafa
Name of Pro Se Party (Print or Type)

Name of Pro Se Party (Print or Type)

Omnia
Signature of Pro Se Party

Signature of Pro Se Party

Executed on: 5/12/2023 (Date)